

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUKE JOHN SCOTT, SR.,

Defendant.

CR-19-29-GF-BMM
CR-19-30-GF-BMM

ORDER REGARDING MOTION
TO RECONSIDER
DEFENDANT’S NOTICES TO
THE COURT REGARDING HIS
EX PARTE FILINGS AND
GRIEVANCE

Defendant Luke John Scott, Sr. (“Scott”) is representing himself in the two above-captioned criminal cases, with Bryan Norcross acting as stand-by counsel. (CR-19-29-GF-BMM, Doc. 73 & CR-19-30-GF-BMM, Doc. 72).

Scott filed a notice regarding his *ex-parte* filings and grievance in both of his criminal cases on July 22, 2020. (CR-19-29-GF-BMM, Doc. 191 & CR-19-30-GF-BMM, Doc. 199). Scott asked the Court to sanction Assistant United States Attorney Kalah Paisley (“AUSA Paisley”). (*Id.* at 1). The Court reviewed the docket as well as the documents Scott referenced in his filings and declined to sanction the government because AUSA Paisley’s actions in accessing the public

docket do not constitute “prosecutorial misconduct.” (CR-19-29-GF-BMM, Doc. 213 & CR-19-30-GF-BMM, Doc. 203 at 5).

Scott now asks the Court to reconsider its decision not to sanction AUSA Paisley. (CR-19-29-GF-BMM, Doc. 259 & CR-19-30-GF-BMM, Doc. 219.). Scott clarifies that he cited the wrong document in his original notice of complaint. (*Id.* at 1–2). Scott fails to provide a corrected identification of what document the Government was able to access. Scott also fails to identify any prejudice that may have resulted from access to a document. The Court again has reviewed the docket in both cases to ensure that Scott’s *ex-parte* filings are sealed. As the Court found previously, “Scott has not demonstrated actual prejudice resulting from said government misconduct, because no misconduct exists in the first instance.” (CR-19-29-GF-BMM, Doc. 213 & CR-19-30-GF-BMM, Doc. 203 at 5). The Court again declines to sanction the Government.

ORDER

IT IS HEREBY ORDERED that Scott’s Motion for Reconsideration of sanctions (CR-19-29-GF-BMM, Doc. 259 & CR-19-30-GF-BMM, Doc. 219) is **DENIED**.

Dated the 23rd day of September, 2020.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court